

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION, AT JACKSON

FILED BY S D.C.  
05 JUL 18 PM 5:02  
THOMAS H. GOULD  
CLERK U.S. DISTRICT COURT  
W.D. OF TENN. JACKSON

GARY S. STASER

Plaintiff,

v.

MUTUAL OF OMAHA INSURANCE  
COMPANY

Defendant.

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) No. 1:05cv1106-T  
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**RULE 16(B) SCHEDULING ORDER**

Pursuant to the scheduling conference set by written notice for July 29, 2005, the following dates are established as the final dates for:

**INITIAL DISCLOSURES (Rule 26(a)(1)):** **August 12, 2005**

**JOINING PARTIES:**

For Plaintiff: **September 28, 2005**

For Defendant: **October 28, 2005**

**AMENDING PLEADINGS:**

For Plaintiff: **September 28, 2005**

For Defendant: **October 28, 2005**

**COMPLETING ALL DISCOVERY:** **February 27, 2006**

(a) **REQUESTS FOR PRODUCTION, INTERROGATORIES,  
AND REQUESTS FOR ADMISSIONS** (propounded so that  
responses are due no later than): **February 27, 2006**

- (b) **EXPERT DISCLOSURE (RULE 26(a)(2)):**  
(i) Plaintiffs Experts: **December 27, 2006**  
(ii) Defendant's Experts: **January 27, 2006**  
(iii) Supplementation under Rule 26(e): **February 7, 2006**

- (c) **DEPOSITION OF EXPERTS:** **February 27, 2006**

**FILING DISPOSITIVE MOTIONS:** **March 17, 2006**

**FINAL LISTS OF WITNESSES AND EXHIBITS (Rule 26(a)(3)):**

- (a) For Plaintiff: **May 5, 2006** or 45 days before trial  
(b) For Defendant: **May 18, 2006** or 30 days before trial

Parties shall have 10 days after service of final lists of witnesses and exhibits to file objections under Rule 26(a)(3).

The trial of this matter is expected to last 2 days and is **SET** for **NON-JURY TRIAL** on **Monday, June 19, 2006**, at **9:30 a.m.** A joint pretrial order is due on **Friday, June 9, 2006**. In the event the parties are unable to agree on a joint pretrial order, the parties must notify the court at least ten days before trial.

**OTHER RELEVANT MATTERS:**

Interrogatories, Requests for Production and Requests for Admissions must be submitted to the opposing party in sufficient time for the opposing party to respond by the deadline for completion of discovery. All motion or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date. For example, if the FRCP allow 30 days for a party to respond, then the discovery must be submitted at least 30 days prior to the deadline for completion of discovery. No depositions may be scheduled to occur after the discovery cutoff date.

Motions to compel discovery are to be filed and served by the discovery deadline or within thirty (30) days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within thirty (30) days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

The parties are reminded that pursuant to Local Rule 7(a)(1)(A) and (a)(1)(B), all motions, except motions pursuant to FRCP 12, 56, 59 and 60, shall be accompanied by a proposed Order and a Certificate of Consultation.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply


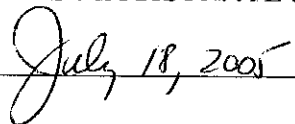
is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties may consent to trial before the Magistrate Judge. The Magistrate Judge can normally provide the parties with a definite trial date that will not be continued unless a continuance is agreed to by all parties, or an emergency arises which precludes the matter from proceeding to trial. However, the parties DO NOT CONSENT to all matters being conducted by the Magistrate Judge, including the conducting of a jury trial, if properly demanded, with any appeal of the verdict to be directly to the Sixth Circuit Court of Appeals, pursuant to 28 U.S.C. § 636(c).

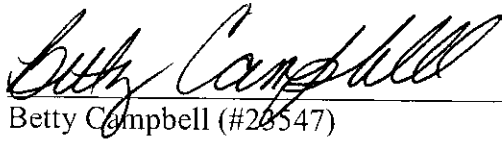
*The parties are encouraged to engage in court-annexed attorney mediation or private mediation on or before the close of discovery.*

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this Order will not be modified or extended.

**IT IS SO ORDERED.**

  
S. THOMAS ANDERSON  
UNITED STATES MAGISTRATE JUDGE  
Date: 

APPROVED FOR ENTRY:



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Steve Roth (#12233)

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## Notice of Distribution

This notice confirms a copy of the document docketed as number 7 in case 1:05-CV-01106 was distributed by fax, mail, or direct printing on July 20, 2005 to the parties listed.

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Honorable James Todd  
US DISTRICT COURT